

MEMORANDUM

TO: CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION
FROM: JOEL ROJAS, COMMUNITY DEVELOPMENT DIRECTOR
DATE: APRIL 14, 2015
SUBJECT: ONGOING GENERAL PLAN UPDATE – PROPOSED LAND USE
CHANGE FOR EASTVIEW SINGLE FAMILY RESIDENTIAL
AREAS

Project Manager: So Kim, Senior Planner

RECOMMENDATION

Approve the proposed land use change to the General Plan land use map for the Eastview single-family residential areas from 'Residential 2 to 4 dwelling units per acre' to 'Residential 4 to 6 dwelling units per acre' to match the existing zoning designation.

BACKGROUND

At the March 10, 2015 Planning Commission (PC) meeting, Staff informed the Commission that there is one additional land use change necessary in the Eastview portion of the City for consistency with the existing Zoning Map prior to bringing the entire Draft General Plan Update at a future Commission meeting in May.

A public notice was published in the *Peninsula News* on February 19, 2015 and was mailed to all 2,360 properties located in the Eastview area. Staff received one written correspondence (attached) and several phone calls in response to the public notice.

DISCUSSION

Why is Staff proposing a change from “Residential 2-4 du/ac” to “Residential 4-6 du/ac”?

On June 3, 2003, the City Council formed a Residential Development Standards Steering Committee (referred herein as the Committee) to review the City's residential development standards. The Committee reviewed the Development Code's residential development standards in relation to other Cities' ordinances and current housing construction trends. Additionally, the Committee reviewed the City's Zoning Map. In its review, the Committee identified specific residential development standards that warrant amending, as well as proposed amendments to the City's Zoning Map. One of the proposed amendments was related to the single-family zoning districts in the Eastview area. Based on an in-depth study, the Committee recommended that the

Eastview single-family residential districts be re-zoned from RS-4 (4 dwelling units per acre) to RS-5 (5 dwelling units per acre) as the Committee felt that the RS-5 zoning is a better representation of the Eastview area as a whole. The City Council reviewed the Committee's recommendations and authorized the initiation of a formal Code Amendment and Zone Change to enact them. After a series of public hearings before the Planning Commission, the Planning Commission recommended and the City Council adopted Ordinance 510 (attached) in 2010; thereby changing the zoning designation of the single-family residential area in the Eastview area from RS-4 to RS-5.

While the zoning designation was changed, the underlying General Plan land use designation was not changed to match the new RS-5 zoning designation. More specifically, the existing land use designation for the single-family properties remains at R2-4 (2 to 4 dwelling units per acre) which correlates with RS-2, RS-3 and RS-4 zoning districts. With the zone change to RS-5, the zoning designation is no longer consistent with the General Plan's R2-4 land use designation. Therefore, Staff is proposing that the existing land use designation of R2-4 be changed to R4-6, which correlates with the existing RS-5 zoning district in the Eastview area.

ADDITIONAL INFORMATION

Public Correspondence

Staff received the attached letter from Mr. DiLeva and several phone calls related to the proposed land use change. In speaking with Mr. DiLeva and others, the residents primarily wanted clarification on how the proposed land use change would impact their property. Staff explained that a zone change increasing the density for all single-family properties in the Eastview Area was already enacted in 2010 and the proposed land use change is merely to match the changed zoning designation. There will be no change to existing development rights of a property as a result of the proposed land use change. Additionally, the changed zoning designation remains single-family residential and therefore does not allow for multi-family residential. The proposed land use change is more of a technical change to make the land use designation consistent with the existing zoning designation.

Additionally, Mr. DiLeva makes mention of Western Avenue in his letter. In speaking with Mr. DiLeva, he attended the recent Western Avenue Vision Plan Workshop at Peck Park and heard rumors of taking his property for the widening and improvement of Western Avenue. Staff reassured Mr. DiLeva that the rumors have no basis as the Western Avenue Vision Plan does not propose any street improvements beyond the existing public right-of-way. Additionally, the Western Avenue Vision Plan is a completely separate and independent matter that has no relation to the pending General Plan Update.

CONCLUSION

Based on the discussion above, Staff recommends that the Planning Commission approve the change in land use designation for single-family residential properties from 'Residential 2-4 du/ac' to 'Residential 4-6 du/ac' for consistency with the existing zoning designation.

ATTACHMENTS

- Exhibit A – Affected Residential Properties
- Exhibit B – Public Correspondence
- Exhibit C – Ordinance 510

Exhibit A
(Affected Residential Properties)

AFFECTED PROPERTIES SHOWN AS R 4-6, OUTLINED IN RED BELOW

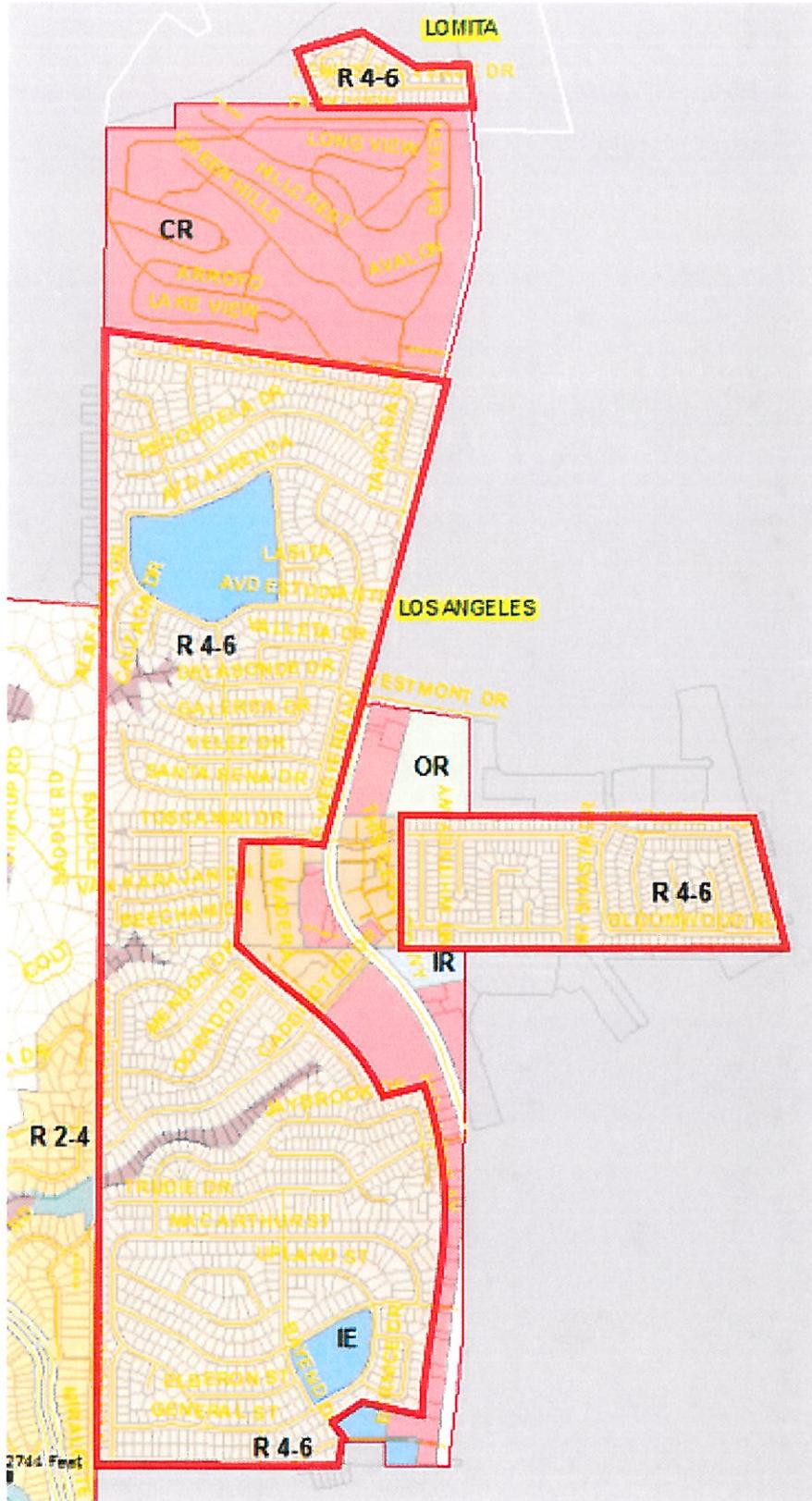


Exhibit B
(Public Correspondence)

RECEIVED

MAR 26 2015

COMMUNITY DEVELOPMENT
DEPARTMENT

March 23, 2015

Dear Ms. So Kim,

Since my property borders Western avenue in Rancho Palos Verdes, the new zoning changes raises deep concerns. Why, after all these years, has RPV decided it needs zoning changes for our particular area? Why is our area being singled out for this zoning change? I would like much more detail on the future plans and how they will affect my property. Are they planning to widen and beautify Western avenue at my expense? Will the city, Cal-Trans, and or city of Los Angeles somehow get together to claim some underhanded action like "eminent domain" to claim my home? Please send all details as to what these zoning changes will make on my property in the near and future years. Thank you.

Sincerely,
Ralph S. DiLeva
28012 Pontevedra Drive
Rancho Palos Verdes, Ca 90275
310-547-0570

Exhibit C
(Ordinance 510)

ORDINANCE NO. 510

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES ADOPTING MISCELLANEOUS AMENDMENTS TO THE PROVISIONS OF TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL CODE AND THE CITY'S ZONING MAP TO ENACT THE RECOMMENDATIONS OF THE RESIDENTIAL DEVELOPMENT STANDARDS STEERING COMMITTEE.

WHEREAS, in 2003 the City Council formed the Residential Development Standards Steering Committee (RDSSC)—composed of City residents, Planning Commissioners and City Councilmembers—and charged the RDSSC with the task of reviewing the City's residential development standards in relation to current housing construction trends. The RDSSC met for nearly two (2) years and eventually presented a summary of its recommended amendments to the City Council for its consideration; and,

WHEREAS, on August 1, 2006, the City Council authorized the initiation of a Code Amendment and Zone Change (Planning Case No. ZON2007-00377) to implement the RDSSC recommendations; and,

WHEREAS, after notices issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the Planning Commission conducted public hearings on November 13, 2007, February 12, 2008, March 11, 2008, April 8, 2008, May 13, 2008, June 10, 2008, July 8, 2008, July 22, 2008, September 8, 2009, October 13, 2009, November 10, 2009 and December 8, 2009, at which times all interested parties were given an opportunity to be heard and present evidence regarding said amendments to Title 17 as set forth in the Planning Commission Staff reports of those dates; and,

WHEREAS, on December 8, 2009, the Planning Commission adopted P.C. Resolution No. 2009-52, thereby forwarding its final recommendations regarding the proposed RDSSC Code Amendment and Zone Change to the City Council; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Initial Study and determined that there is no substantial evidence that the approval of Planning Case No. ZON2007-00377 would result in a significant adverse effect on the environment. Accordingly, a Draft Negative Declaration was prepared and circulated for public review for thirty (30) days between April 1, 2010 and May 1, 2010, and notice of that fact was given in the manner required by law; and,

WHEREAS, after notice issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the City Council conducted a public hearing on May 4, 2010, May 18, 2010, June 1, 2010, and June 15, 2010, at which time all interested parties were given an opportunity to be heard and present evidence regarding the proposed revisions to Chapter 15.20 as set forth in the City Council Staff reports of those dates; and,

WHEREAS, at its June 1, 2010, meeting, after hearing public testimony, the City

Council adopted Resolution No. 2010-43 making certain findings related to the requirements of the California Environmental Quality Act (CEQA) and adopting a Negative Declaration for the proposed project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES ORDAIN AS FOLLOWS:

Section 1: The City Council has reviewed and considered the amendments to Title 17 of the Municipal Code.

Section 2: The City Council finds that the amendments to Title 17 of the Municipal Code are consistent with California Government Code Section 65853, zoning amendment procedures.

Section 3: The City Council finds that the amendments to Title 17 are consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that they preserve and enhance the community's quality living environment, and enhance the visual character and physical quality of existing neighborhoods.

Section 4: The City Council finds that the amendments to Title 17 are necessary to preserve the public health, safety, and general welfare in the area, while balancing property rights.

Section 5: The City's Zoning Map, as codified in Section 17.88.020 of Title 17 and incorporated therein by reference, shall be amended such that the areas of the "Eastview" portion of the City that are currently zoned "RS-4" shall be re-zoned "RS-5," as depicted in the areas outlined in red on the attached Exhibit 'A.'

Section 6: The City's Zoning Map, as codified in Section 17.88.020 of Title 17 and incorporated therein by reference, shall be amended such that the "Mira Vista Overlay Control District (OC-5)" shall be established in the "Eastview" portion of the City, specifically affecting lots located within Tract No. 16010, as recorded on September 8, 1949 in Book 353, Pages 23 through 29 (inclusive), of maps of the County of Los Angeles, including therein any lots created through the subsequent subdivision of the two hundred fifteen (215) original lots in the tract, but excluding therefrom that portion of Lot 215 of Tract No. 16010 that was subdivided as a portion of Tract No. 21184, as recorded on September 28, 1955 in Book 578, Pages 7 through 8 (inclusive), of maps of the County of Los Angeles; as depicted in the area outlined in blue on the attached Exhibit 'B.'

Section 7: Section 17.40.080 of Title 17 is hereby established to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

17.40.080 Mira Vista overlay control district (OC-5) and regulations

A. Purpose. The purpose of the Mira Vista overlay control district (OC-5) is established to:

1. Acknowledge the unique qualities of the overlay area, which is generally

characterized by very small homes on small lots, with substandard or no off-street parking facilities; and,

2. Allow for the modernization and enlargement of the homes in the overlay area, in a manner compatible with the unique character of the neighborhood, and with the needs and desires of current property owners.

B. Application. The Mira Vista overlay control district (OC-5) shall be applicable to lots located within Tract No. 16010, as recorded on September 8, 1949 in Book 353, Pages 23 through 29 (inclusive), of maps of the County of Los Angeles, including therein any lots created through the subsequent subdivision of the two hundred fifteen (215) original lots in the tract, but excluding therefrom that portion of Lot 215 of Tract No. 16010 that was subdivided as a portion of Tract No. 21184, as recorded on September 28, 1955 in Book 578, Pages 7 through 8 (inclusive), of maps of the County of Los Angeles.

C. Development Standards. The following development standards shall apply to lots subject to the Mira Vista overlay control district (OC-5). If not specified below, the RS-5 zoning district and other general development standards shall apply.

1. Minimum Setbacks. The following minimum building setbacks shall be maintained:

<u>Front</u>	<u>Interior Side</u>	<u>Street Side</u>	<u>Rear</u>
<u>20'</u>	<u>5'</u>	<u>10'</u>	<u>15'</u>

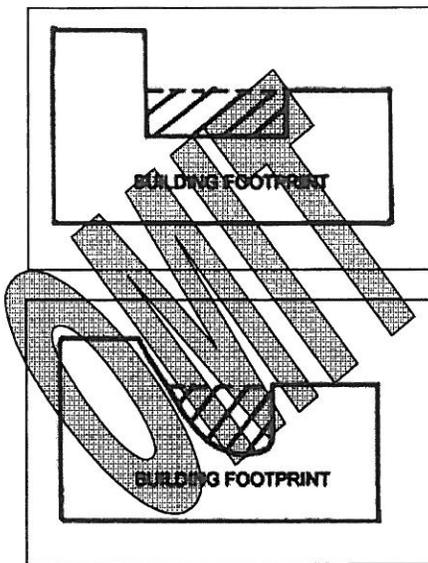
2. Front Entry Porch. A front entry porch shall be permitted to encroach into the required front-yard setback, provided that the following criteria are met:
 - a. The footprint of the porch does not exceed 50 square feet in area;
 - b. The footprint of the porch does not encroach more than 5 feet into the required front yard; and,
 - c. The height of the porch does not exceed 16 feet in height or the highest roof ridgeline, whichever is lower.
3. Front-Yard Landscaped Area. If a Neighborhood Compatibility finding is required for a project, where applicable a landscaped parkway shall be provided by the property owner. Approvals for parkway landscaping shall be obtained from the Director of Public Works prior to issuance of building or grading permits. In addition, at least 50% of the front yard area shall be maintained as landscape area, in accordance with as defined in Section 17.48.030(D).
4. Driveways. In cases where a Neighborhood Compatibility finding is required for a project, if a garage is located in the rear of a property, a minimum 9-foot-wide driveway shall be provided that utilizes grass strips or "grasscrete." If a garage is located at the front of a property, a minimum 18-inch-wide landscaped area shall be provided between the side property line and the nearest edge of the driveway.
5. Garages. As alternatives to the minimum off-street parking requirements specified in Section 17.02.030(E), enclosed garage spaces may be provided as follows:
 - a. Tandem parking spaces in an attached garage, provided that each garage space meets the minimum dimensions specified in Section 17.02.030(E); or,

- b. Detached garage encroaching to within five feet of the rear property line provided that:
- i. The each garage space meets the minimum dimensions specified in Section 17.02.030(E);
 - ii. The maximum height of the garage does not exceed twelve feet; and,
 - iii. The Director determines that the detached garage will not result in significant view impacts from the viewing area of any nearby properties.
 - iv. All other development standards are met, including but not limited to lot coverage, side setbacks and construction on extreme slopes.
6. Lot Coverage. Notwithstanding the underlying zoning within the overlay control district area, the maximum permitted lot coverage shall be 52%, as defined in Section 17.02-040(A)(5).

Section 8: Table 02-A “Single-Family Residential Development Standards” of Section 17.02.030(A) of Title 17 is hereby amended to read as depicted in the attached Exhibit ‘C’ (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language).

Section 9: Section 17.02.040(A)(5) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

5. “Lot coverage” means that portion of a lot or building site which is occupied by any building or structure, including ~~courtyards which are fully enclosed or which have a maximum of one exterior entrance; trellises; decks over thirty inches in height (as measured from existing adjacent grade); parking areas; driveways; or impervious surfaces (impervious surfaces less than five feet in width and/or one patio area less than five hundred square feet in area shall be excluded from the lot coverage calculation).~~ (The lot coverage of a courtyard which is not fully enclosed shall be calculated by the director as if it were fully enclosed by drawing an imaginary line between the walls on either side of the entrance to the courtyard. When the walls on either side of the entrance are of uneven length, the imaginary line shall be an extension of the end of the wall on the shortest side of the courtyard, see diagram below.)



Section 10: Section 17.48.040 of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

An open space area shall be provided on each lot with a residential structure. Open space area shall not include any portion of a lot or building site which is within the definition of lot coverage, as defined in Section 17.02.040(A). Lot coverage shall not exceed the maximum area requirements established in the district development standards (see Table 02-A in Chapter 17.02). For purposes of calculating lot coverage, a private street easement area shall not be considered a part of the lot area. For flag lots, the "pole" portion of any flag lot that is encumbered by an access easement benefiting another property shall not be considered a part of the lot area. In no case shall any hardscape or other improvements within a private street easement or a flag-lot "pole" that is encumbered by an access easement be counted as lot coverage. In multiple-family residential units, private outdoor decks and balconies with one minimum horizontal dimension of seven feet which are designated for the exclusive use of the occupants of an individual unit may comprise up to thirty percent of required open space.

Section 11: Section 17.96.2020 of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

"Private street" means any lot not dedicated as a public street over which a private easement for road purposes has been recorded and used or intended to be used for ingress to or egress from a lot or lots which may or may not have frontage on a public street. For purposes of measuring setbacks and calculating lot coverage, a private street easement shall not be considered a part of a lot. A private street does not mean a "driveway."

Section 12: Section 17.02.030(E) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents

deleted language):

E. *Parking/Driveway Standards.*

1. *A minimum of two enclosed parking spaces shall be provided and maintained in a garage, and a minimum of two unenclosed parking spaces shall be provided and maintained as a driveway, on the property of each single-family dwelling unit containing less than five thousand square feet of habitable space, as determined by the director.*
2. *A minimum of three enclosed parking spaces shall be provided and maintained in a garage, and a minimum of three unenclosed parking spaces shall be provided and maintained as a driveway, on the property of each single-family dwelling unit containing five thousand square feet or more of habitable space, as determined by the director.*
3. *A garage with a direct access driveway from the street of access shall not be located less than twenty feet from the front or street-side property line, whichever is the street of access.*
4. *In addition to the parking requirements for the primary single-family residence on a property, parking for city-approved second units shall be provided in accordance with Chapter 17.10 (Second Unit Development Standards).*
5. *An enclosed parking space shall have an unobstructed ground space of no less than nine feet in width by twenty feet in depth, with a minimum of seven feet of vertical clearance over the space. An unenclosed parking space shall have an unobstructed ground space of no less than nine feet in width by twenty feet in depth.*
6. *The following minimum driveway widths and turning radii shall be provided for all driveways leading from the street of access to a garage or other parking area on a residential parcel:*
 - a. *A driveway shall be a minimum width of ten feet; and*
 - b. *A paved twenty-five-foot turning radius shall be provided between the garage or other parking area and the street of access for driveways which have an average slope of ten percent or more, and which are fifty feet or more in length.*
7. *Driveways shall take into account the driveway standards required by the department of public works for driveway entrances located in the public right-of-way.*
8. *A driveway that is located adjacent to a side property line shall provide a minimum 18-inch-wide landscaped area between the side property line and the adjacent driveway, unless such buffer would reduce the minimum width of the driveway to less than ten feet, in which case the width of the landscape buffer may be narrowed or eliminated at the discretion of the Director.*
98. *All driveways shall be built and maintained in accordance with the specifications of the Los Angeles County fire department. If there is any inconsistency between the standards imposed by this chapter and the standards imposed by the Los Angeles County fire department, the stricter shall apply.*
10. *Unless otherwise expressly permitted elsewhere in this title, enclosed tandem parking spaces may only be used for parking spaces in excess of the minimum requirements of subsections (1) and (2) of this section, provided that each space meets the minimum dimensions specified in subsection (5) of this section.*

Section 13: Section 17.76.030(C) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

C. *Fences, Walls and Hedges Allowed Without a Permit. Unless restricted by conditions imposed through a fence, wall and hedge permit pursuant to subsection B of this section, fences, walls and hedges which meet the following requirements shall be allowed without a permit:*

1. *Residential Zoning Districts.*

a. ~~Fences, walls and hedges located between the front property line and the exterior facade of the existing single family residence closest to the front property line within the front-yard setback area or between the street side property line and the existing single family residence closest to the street side property line shall meet the following standards:~~

- i. *Up to forty-two inches in height shall be permitted, except as restricted by the intersection visibility requirements of Section 17.48.070 (Lots, Setbacks, Open Space Areas and Building Height) of this title;*
- ii. *When combined with a retaining wall, the total height may not exceed forty-two inches, except as restricted by the intersection visibility requirements of Section 17.48.070 (Lots, Setbacks, Open Space Areas and Building Height) of this title; and*
- iii. *When located within the front yard of a flag lot and the front property line of the flag lot abuts the rear or interior side property line of an adjacent lot, up to six feet in height shall be permitted.*

b. *Fences, walls and hedges not subject to subsection (C)(1)(a) of this section shall meet the following standards:*

- i. *Fences and walls up to six feet in height shall be permitted on any part of a lot not subject to subsection (C)(1)(a), except as restricted by Section 17.48.070 (Intersection visibility) of this title;*
- ii. *Hedges up to sixteen feet in height shall be permitted on any part of a lot not subject to subsection (C)(1)(a), except as restricted by the view preservation and restoration provisions which apply to foliage, as described in Chapter 17.02 (Single-family Residential Districts);*
- iii. *When combined with a fence, freestanding wall or retaining wall, the total height may not exceed eight feet, as measured from grade on the lower side, and may not exceed six feet, as measured from grade on the higher side;*
- iv. *When combined with a fence, freestanding wall, retaining wall or hedge, the total height may not exceed sixteen feet, as measured from grade on the higher side and may not exceed eighteen feet, as measured from grade on the lower side;*

provided, the height of each individual fence, freestanding wall and/or retaining wall does not exceed the height limitations prescribed by this title.

- c. Temporary construction fences, as defined in Chapter 17.96 (Definitions), up to six feet in height may be located within front or street side setback areas, pursuant to the temporary construction fencing provisions of Section 17.56.020(C) (Environmental Protection) of this title.*

2. Nonresidential Zoning Districts.

- a. Fences, walls and hedges located ~~between the front property line and the exterior facade of the existing single~~ within front and street side setbacks within the front-yard and street-side setback areas shall meet the following standards:*

- i. Up to forty-two inches in height shall be permitted within the front or street-side setback areas, except as restricted by the intersection visibility requirements of Section 17.48.070 (Lots, Setbacks, Open Space Area and Building Height) of this title.*
- ii. When combined with a retaining wall, the total height may not exceed forty-two inches in the front or street-side setback areas, except as restricted by the intersection visibility requirements of Section 17.48.070 (Lots, Setbacks, Open Space Area and Building Height) of this title.*

- b. Fences, walls and hedges located behind front and street-side setbacks shall meet the following standards:*

- i. Up to six feet in height shall be permitted on any part of a lot behind the front or street-side setback areas, except as restricted by the intersection visibility requirements of Section 17.48.070 (Lots, Setbacks, Open Space Area and Building Height) of this title.*
- ii. When combined with a retaining wall, the total height may not exceed eight feet as measured from grade on the lower side and may not exceed six feet as measured from grade on the higher side.*

- c. Temporary construction fences, as defined in Chapter 17.96 (Definitions), up to six feet in height may be located within front or street side setback areas, pursuant to the temporary construction fencing provisions of Section 17.56.020 (Environmental Protection) of this title.*

Section 14: Section 17.76.030(E)(5) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

- 5. Chain link, chicken wire and fiberglass fences are prohibited in front yards between the front property line and the exterior facade of the existing single-family residence closest to the front property line; in side yards between the street side property line and the exterior facade of the existing single-family residence closest to the street side property line; and within a rear yard setback which abuts the following arterial**

streets identified in the city's general plan:

- a. Crenshaw Boulevard;
- b. Crest Road;
- c. Hawthorne Boulevard;
- d. Highridge Road;
- e. Miraleste Drive;
- f. Palos Verdes Drive East;
- g. Palos Verdes Drive North;
- h. Palos Verdes Drive South; and
- i. Palos Verdes Drive West; and,
- j. Silver Spur Road.

Section 15: Section 17.48.030(E) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

E. Exceptions.

1. Architectural Features. ~~Cornices, belt courses and other similar architectural features may project into the required setback area not more than four inches for each foot of the required setback; provided, that no portion of such an architectural feature is located or projects below eight feet above grade; and provided, that there are no vertical supports or members within the required setback area. Garden windows may project into the required setback area not more than four inches for each foot of the required setback; provided, that there are no vertical supports within the required setback area. Eaves may project into the required setback not more than six inches for each foot of the required setback.~~
2. Garden Windows and Window Coverings. Garden windows and window coverings, including retractable awnings, may project into the required interior side and rear yard setback areas not more than four inches for each foot of the required setback; provided that there are no vertical supports within the required setback area.
3. Roof Eaves. Roof eaves may project into the required setback not more than six inches for each foot of the required setback; provided that there are no vertical supports within the required setback areas. Roof eaves shall not be calculated towards lot coverage as defined in Section 17.02.040(A)(5).
42. Fireplace Chimneys. Chimneys may project two feet into any required setback.
53. Minor Structures and Mechanical Equipment. Trash enclosures, storage sheds or playhouses less than one hundred twenty square feet, doghouses, play/sports equipment, fountains, light fixtures on a standard or a pole, flag poles, enclosed water heaters, barbecues, outdoor kitchens, garden walls, air conditioners, pool filters, vents and other minor structures or mechanical equipment shall not be located in any setback area in residential districts except as specified below:
 - a. Minor structures and equipment less than six inches in height, as measured from adjacent finished grade, may be located in any required front, side or rear setback;
 - b. Minor structures and mechanical equipment which exceed six inches

in height, as measured from adjacent finished grade, may be permitted within an interior side or rear setback area by the director, through a site plan review application, unless the minor structure is a play house less than 120 square feet, a dog house, or play/sports equipment, then a site plan review application shall not be required; provided that no significant adverse impacts will result and provided that:

- i. Noise levels from mechanical equipment do not exceed sixty-five dBA as measured from the closest property line,*
- ii. No part of any minor structure or mechanical equipment, exceeds six feet in height (as measured from adjacent finished grade),*
- iii. If located within a rear setback area which abuts a public or private street, the minor structure or mechanical equipment is not visible from the public or private street,*
- iv. No part of any mechanical equipment, including but not limited to pool/spa equipment and air conditioning/heating equipment, extends within three feet of the property line, and*
- v. No part of any minor structure extends within three feet of the property line. However, minor structures (not mechanical equipment) may be allowed to abut the side or rear property line; provided, that the minor structure:
 - (A) Is placed adjacent to an existing solid wall;*
 - (B) Does not exceed the maximum height of the adjacent solid wall, up to a maximum of six feet;*
 - (C) Is less than one hundred twenty square feet in size; and*
 - (D) Is located a minimum of three feet from an adjacent structure, unless the structures are parallel and abutting each other, as determined by the director.**

c. The following minor structures shall be permitted within a front yard setback area provided that the minor structure does not exceed 42-inches in height, as measured from adjacent pre-construction grade:

- i. Balustrades and columns;*
- ii. Light fixtures, including light fixtures attached to a standard, a pole or a column;*
- iii. Fountains, provided that the fountain is within the maximum front yard landscape requirement and is not operated between the hours of midnight and 7 a.m.; and;*
- iv. Ornamental ponds less than 18 inches deep.*
- v. Decorative landscape elements, including but not limited to: rocks, boulders, raised planter beds, pilasters and statuary.*

64. *Decks, Walkways and Paving. Decks, asphalt paving, concrete walkways or similar ground surfacing less than six inches in height (as measured from adjacent finished grade), shall not be subject to setback requirements. Decks (including any railing), six inches to thirty inches in height (as measured from adjacent finished grade), may be permitted in any setback area upon determination by the director, through a site plan review application, that no significant adverse impacts will result.*

75. *Swimming or Ornamental Pools. Swimming pools, spas, ornamental pools*

and any other body of water measuring ~~more than~~ eighteen ~~twenty-four~~ inches or more deep, may be located within an interior or rear yard setback; provided, that no portion of said pool is located closer than three feet from the property line. Ornamental ponds less than ~~eighteen~~ eighteen ~~twenty-four~~ inches deep may be located within any required setback and may abut any property line.

86. Foundations and Footings. Below grade foundations and/or footings for above ground main buildings may be located in any setback; provided, that no portion of the foundation or footing is located closer than three feet from the property line.
97. Subterranean Structures. Subterranean structures, including holding tanks, which are located entirely below grade shall not be extended any closer than half of the required setback to any property line or three feet from the property line, whichever is greater.
108. Fences, Walls and Hedges. Fences, walls and hedges may be permitted within any front, interior side, street side or rear yard setback pursuant to Section 17.76.030 (Fences, walls and hedges).

Section 16: Section 17.76.030(E)(3) of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

3. *Fences or Walls – Required. All pools, spas and standing bodies of water eighteen ~~twenty-four~~ inches or more in depth shall be enclosed by a structure and/or a fence or wall not less than five feet in height measured from the outside ground level at a point twelve inches horizontal from the base of the fence or wall. Any gate or door to the outside shall be equipped with a self-closing device and a self-latching device located not less than four feet above the ground. Such fences, walls and gates shall meet City specifications and shall be constructed to the satisfaction of the City's Building Official.*

Section 17: Section 17.96.1460 of Title 17 is hereby amended to read as follows (the underlined text represents new language and the ~~strikethrough~~ text represents deleted language):

"Swimming ~~or ornamental~~ pool" means any body of water measuring ~~more than~~ eighteen ~~twenty-four~~ inches or more deep at its deepest point, whether above or below the surface of the ground. "Ornamental pool" means any body of water measuring less than eighteen inches in depth at its deepest point, whether above or below the surface of the ground.

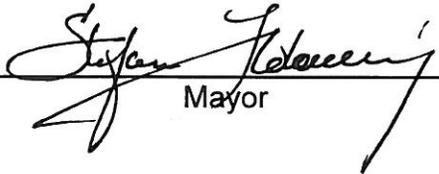
Section 18: The rights given by any approval granted under the terms of Title 17 of the Rancho Palos Verdes Municipal Code prior to the effective date of the adoption of said ordinance shall not be affected by the amendments to Title 17 by this ordinance and shall continue in effect until and unless they are modified, revoked, expired or are otherwise terminated according to the terms of the approval or the terms of Title 17 as they existed prior to the effective date of said ordinance.

Section 19: The amendments to Title 17 of the Rancho Palos Verdes Municipal Code as identified herein shall apply to all development applications submitted after the

effective date of the adoption of said ordinance.

Section 20: The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED THIS 29TH DAY OF JUNE 2010.



Mayor

ATTEST:



City Clerk

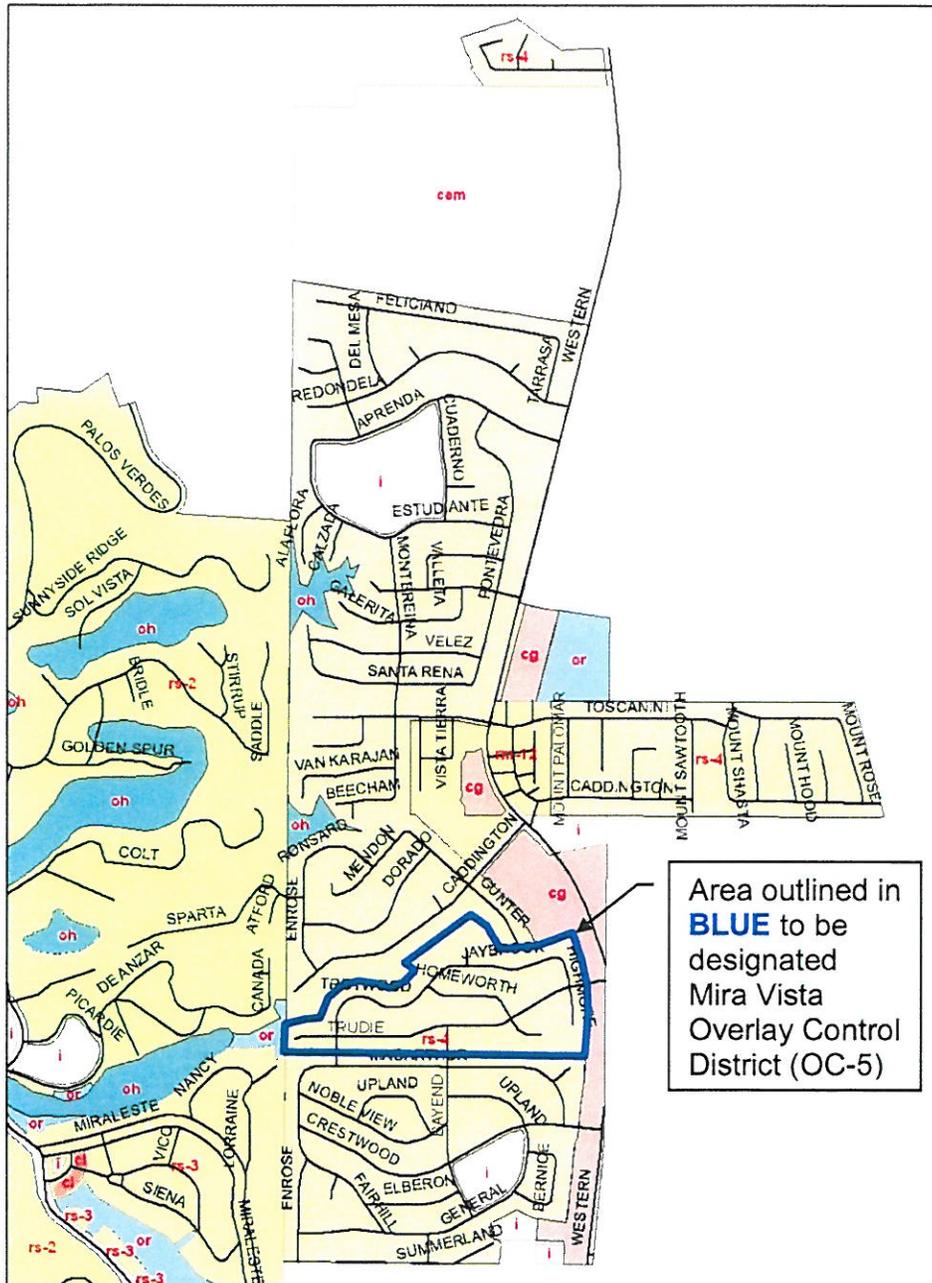
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss
CITY OF RANCHO PALOS VERDES)

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 510 passed first reading on June 15, 2010, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on June 29, 2010, and that the same was passed and adopted by the following roll call vote:

AYES: Campbell, Missetich, Wolowicz
NOES: None
ABSENT: Long and Stern
ABSTAIN: None



City Clerk



Ordinance No. 510, Exhibit 'B'
 Proposed Mira Vista Overlay Control District (OC-5)
 Page 1 of 1

TABLE 02-A: SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

For exceptions and explanatory descriptions of these standards and for other development standards that apply to single-family residential areas, see Articles VI and VII of this title. The number which follows an "RS-" designation indicates the maximum number of lots per acre permitted in the zone; the "RS-A" number indicates the minimum number of acres per lot permitted.

DISTRICT	LOT DIMENSIONS ¹				MINIMUM SETBACKS ^{3, 6} FOR CITY CREATED LOTS			MINIMUM SETBACKS ^{2, 3, 6} FOR LOTS CREATED PRIOR TO INCORPORATION/ANNEXATION			MAXIMUM HEIGHT ^{4, 7}	PARKING REQUIREMENT ⁵	
	AREA	WIDTH	DEPTH	FRONT	INTERIOR SIDE	STREET SIDE	REAR	FRONT	INTERIOR SIDE	STREET SIDE			REAR
RS-A-5	5 acres	200	300	20	30	10	20	20	5	10	15	16	less than 5,000 s.f. of habitable space = 2 enclosed garage spaces
RS-1	1 acre	100	150	20	25	10	20	20	5	10	15	16	5,000 s.f. or more of habitable space = 3 enclosed garage spaces
RS-2	20,000 s.f.	90	120	20	20	10	20	20	5	10	15	16	
RS-3	13,000 s.f.	80	110	20	20	10	20	15	5	10	15	16	
RS-4	10,000 s.f.	75	100	20	20	10	20	15	5	10	15	16	
RS-5	8,000 s.f.	65	100	20	20	10	20	15	5	10	15	16	

- For an existing lot which does not meet these standards, see Chapter 17.84 (Nonconformities).
- Lots of record, existing as of November 25, 1975 (adoption of this Code), or within Eastview and existing as of January 5, 1983 (annexation), shall use these development standards for minimum setbacks.
- For description, clarification and exceptions, see Chapter 17.48 (Lots, Setbacks, Open Space Area and Building Height).
- For a description of height measurement methods and the height variation process, see Section 17.02.040 of this chapter. A height variation application shall be referred directly to the planning commission for consideration, if any of the following is proposed:
 - Any portion of a structure which exceeds sixteen feet in height extends closer than twenty-five feet from the front or street-side property line.
 - The area of the structure which exceeds sixteen feet in height (second story footprint) exceeds seventy-five percent of the existing first story footprint area (residence and garage).
 - Sixty percent or more of an existing garage footprint is covered by a structure which exceeds sixteen feet in height (a second story).
 - The portion of a structure that exceeds sixteen feet in height is being developed as part of a new single-family residence; or
 - Based on an initial site visit, the director determines that any portion of a structure which is proposed to exceed sixteen feet in height may significantly impair a view as defined in this chapter.
- For parking development standards, see Section 17.02.030(B) of this chapter.
- A garage with direct access driveway from the street of access shall not be less than twenty feet from the front or street-side property line, whichever is the street of access.
- Exterior stairs to an upper story are prohibited, unless leading to and/or connected to a common hallway, deck or entry rather than a specific room.
- For purposes of calculating lot coverage, a private street easement shall not be considered a part of the lot area and the improved area of a private street easement shall not be counted as lot coverage.



RANCHO PALOS VERDES

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

AFFIDAVIT OF POSTING

The undersigned, being first duly sworn, deposes and says:

That at all times herein mentioned, she was and now is the appointed City Clerk
of the City of Rancho Palos Verdes;

That on July 1, 2010, she caused to be posted the following document
entitled: ORDINANCE NO. 510 - AN ORDINANCE OF THE CITY OF
RANCHO PALOS VERDES ADOPTING MISCELLANEOUS AMENDMENTS
TO THE PROVISIONS OF TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL
CODE AND THE CITY'S ZONING MAP TO ENACT THE
RECOMMENDATIONS OF THE RESIDENTIAL DEVELOPMENT
STANDARDS STEERING COMMITTEE, a copy of which is attached hereto,
in the following locations:

City Hall
30940 Hawthorne Blvd.
Rancho Palos Verdes

Ladera Linda Community Center
32201 Forrestal Drive
Rancho Palos Verdes

Hesse Park
29301 Hawthorne Blvd.
Rancho Palos Verdes

I certify under penalty of perjury that the foregoing is a true and correct affidavit of
posting.



City Clerk